

**** E-Filed April 21, 2010 ****

JOSEPH P. RUSSONIELLO, CSBN 44332
United States Attorney
JOANN M. SWANSON, CSBN 88143
Assistant United States Attorney
Chief, Civil Division
ILA C. DEISS, NY SBN 3052909
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7124
FAX: (415) 436-7169

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ZHE WU,

Plaintiff,

v.

ERIC HOLDER, Attorney General of the United States; JANET NAPOLITANO, Secretary of the Department of Homeland Security; MICHAEL AYLES, Acting Deputy Director, U.S. Citizenship and Immigration Services; ROBIN BARRETT, San Francisco Field Office Director; U.S. Citizenship and Immigration Services; ROBERT S. MUELLER III, Director of Federal Bureau of Investigation;

Defendants.

No. C 10-1017 HRL

PARTIES' CONSENT TO MAGISTRATE JUDGE JURISDICTION; STIPULATION TO DISMISS; AND ~~PROPOSED~~ ORDER

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, Plaintiff and Defendants in this case hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment.

Additionally, Plaintiff, by and through her attorneys of record, and Defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action without prejudice in light of the fact that the United States Citizenship and

Immigration Services is now prepared to adjudicate Plaintiff's application for naturalization and agrees to do so within 30 days of the dismissal of this action. See 8 U.S.C. § 1447(b).

Each of the parties shall bear their own costs and fees.

Dated: April 13, 2010

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

/s/
ILA C. DEISS¹
Assistant United States Attorney
Attorneys for Defendants

Date: April 13, 2010

/s/
ELIZA XUAN WANG
Attorney for Plaintiff

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: April 21, 2010



HOWARD R. LLOYD
United States Magistrate Judge

¹ I, Ila Deiss, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.